

A REGULAR MEETING OF THE FAUQUIER COUNTY BOARD OF SUPERVISORS WAS HELD MAY 18, 1999 AT 1:00 P.M. IN WARRENTON, VIRGINIA

P R E S E N T Mr. Larry L. Weeks, Chairman; Mr. Joe Winkelmann, Vice Chairman; Mr. Wilbur W. Burton; Mr. James R. Green, Jr.; Mr. David C. Mangum; Mr. G. Robert Lee, County Administrator; Mr. Paul S. McCulla, County Attorney

MEMORANDUM OF UNDERSTANDING – JOHN MARSHALL SOIL AND WATER CONSERVATION DISTRICT

A work session was held to review and discuss a proposed Memorandum of Understanding between Fauquier County and the John Marshall Soil and Water Conservation District.

DISCUSSION OF A REQUEST TO INCLUDE A REFERENDUM ON THE NOVEMBER BALLOT TO CONSTRUCT SPORTS FIELDS

A work session was held to discuss a request to include a \$3.5 million referendum on the November ballot to construct sports fields.

DISCUSSION OF PROPOSED BOUNDARY ADJUSTMENT BETWEEN FAUQUIER COUNTY AND THE TOWN OF WARRENTON

A work session was held to discuss the proposed boundary adjustment between Fauquier County and the Town of Warrenton.

IMPLEMENTATION PLAN FOR THE COUNTY OFFICE OF ECONOMIC DEVELOPMENT

A work session was held to review and discuss a proposed timetable and logistics plan, a draft job description for the Director of Economic Development, a proposed selection committee for the Director, a proposed composition of the Economic Development Advisory Committee, and a review of the powers of an industrial development authority.

BRIEFING ON HOUSE BILL 2324

Chairman Weeks gave a briefing on House Bill 2324.

VIRGINIA FREEDOM OF INFORMATION ACT

A work session was held to review the newly revised Virginia Freedom of Information Act that will become effective July 1, 1999.

PROPOSED SOILS POLICY IN RESPONSE TO VIRGINIA STATE LAW

A work session was held to review and discuss the draft County Soils Policy.

EXECUTIVE SESSION

Mr. Winkelmann moved to go into executive session pursuant to Virginia Code Section 2.1-344(A)(7) for consultation with legal council. Mr. Mangum seconded, and the vote for the motion was unanimous as follows:

Ayes: Mr. Larry L. Weeks; Mr. Joe Winkelmann; Mr. Wilbur W. Burton; Mr. James R. Green, Jr.; Mr. David C. Mangum

Nays: None

Absent During Vote: None

Abstention: None

Upon reconvening from executive session, Mr. Winkelmann moved to adopt the following certification. Mr. Mangum seconded.

CERTIFICATION OF EXECUTIVE MEETING

WHEREAS, the Fauquier County Board of Supervisors has convened an executive meeting on this date pursuant to an affirmative recorded vote and in accordance with the provision of the Virginia Freedom of Information Act; and

WHEREAS, Section 2.1-344.1 of the Code of Virginia requires a certification by this Board of Supervisors that such executive meeting was conducted in conformity with Virginia Law; now, therefore, be it

RESOLVED this 18th day of May 1999, That the Fauquier County Board of Supervisors certifies that, to the best of each member's knowledge (i) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the executive meeting to which this certification resolution applies, and (ii) only such public business matters as were identified in the motion convening the executive meeting were heard, discussed or considered by the Fauquier County Board of Supervisors.

VOTE:

Ayes: Mr. Larry L. Weeks; Mr. Joe Winkelmann; Mr. Wilbur W. Burton; Mr. James R. Green, Jr.;
Mr. David C. Mangum

Nays: None

Absent During Vote: None

Absent During Meeting: None

The meeting was reconvened in Regular Session at 6:30 p.m. in the Warren Green Meeting Room.

CONSENT AGENDA

Mr. Winkelmann moved to adopt the following Consent Agenda items subject to adding A Resolution to Authorize the Chairman of the Board of Supervisors to Enter Into a Mutual Aid Agreement with the Counties of Rappahannock and Warren. Mr. Mangum seconded, and the vote for the motion was unanimous as follows:

Ayes: Mr. Larry L. Weeks; Mr. Joe Winkelmann; Mr. Wilbur W. Burton; Mr. James R. Green, Jr.; Mr. David C. Mangum

Nays: None

Absent During Vote: None

Abstention: None

Approval of the Minutes of the February 22, 1999 Adjourned Meeting and the March 2, 1999 and March 16, 1999 Regular Meetings

FY 1999 Budget Transfers and Supplemental Appropriations in the Amount of \$553,308

RESOLUTION

A RESOLUTION TO TRANSFER & APPROPRIATE FUNDS

WHEREAS, the Board of Supervisors is charged by the Code of Virginia with the operation of an annual budget for Fauquier County; and

WHEREAS, this annual budget is a plan of how funds received by the County will be used to meet the needs of the citizens of the County; and

WHEREAS, during the course of the fiscal year certain events occur which necessitate changing the budget plan by increasing a department's total budget; and

WHEREAS, funds needed to increase a department's budget must come from internal adjustments or from an outside source such as State, Federal, grant or other local sources such as the County's Reserve for Contingency; and

WHEREAS, the Sheriff's Office has requested the appropriation of \$1,500 for Target Speed 1 Mini-Grant and \$3,113 for Prisoner Extradition from State funding, \$9,865 for Reimbursement to State for Over Payment of Funds from Prior Year Fund, and \$1,272 for Share of Forfeiture Proceeds - DEA Group 33 from Federal funds; and

WHEREAS, the Maintenance and Repair Division of Support Services requested appropriation of \$9,796 from the Contingency Reserve to support the quarterly ground water monitoring; and

WHEREAS, the Treasurer requested appropriation of \$16,132 from State funds for the State reimbursement of the Personal Property Tax Relief Act (PPTRA); and

WHEREAS, the School Division requested \$295,734 in Special Education Federal Grant funding for the purchase of six (6) handicapped buses and other equipment for Special Education classrooms; and

WHEREAS, the Office of Management and Budget (OMB) requested \$73,124 be appropriated to support the New Baltimore Magisterial District test well drilling, yield drilling and water quantity analysis funded from interest income revenue; and

WHEREAS, the Warrenton-Fauquier Joint Communications Center requested \$37,365 to purchase hardware and software upgrade for the E-911 system with funding from the E-911 fund balance; and

WHEREAS, Social Services requested \$945 from Federal funds for reimbursement on Exempt Federal Unemployment and \$86,462 from Federal and State funds for additional day care funds; and

WHEREAS, the Office of Management and Budget requested the School Division allocate \$18,000 to Comprehensive Services reserve account to support the program if needed; now, therefore, be it

RESOLVED by the Fauquier County Board of Supervisors this 18th day of May 1999, That the sum of \$553,308 be carried over, transferred or appropriated, and hereby approved as follows:

FROM

TO

Source	Code	Amount	Department	Code	Amount
State funds	3-100-244100-0045	\$1,500	Sheriff's Office	4-100-31200-6029	\$1,500
State funds	3-100-244100-0130	\$3,113	Sheriff's Office	4-100-31200-5550	\$3,113
Prior Year funds	3-100-419000-0010	\$9,865	Sheriff's Office	4-100-31215-5801	\$9,865
Federal funds	3-100-331000-0040	\$1,272	Sheriff's Office	4-100-31230-8201	\$1,272
Contingency Reserve	4-100-091400-9618	\$9,796	Maintenance & Repair	4-302-80122-8215	\$9,796
State Revenue	3-100-230000-0040	\$16,132	Treasurer's Office	4-100-12410-1302	\$7,902
				4-100-12410-2100	\$605
				4-100-12410-4200	\$500
				4-100-12410-5210	\$1,000
				4-100-12410-5230	\$500
				4-100-12410-6001	\$1,000
				4-100-12410-6025	\$2,025
				4-100-12410-8207	\$2,600
Federal funds	3-205-332000-0036	\$295,734	School Division	4-205-061100-8100-300-005-450	\$295,734

Interest Income	3-100-151000-0002	\$73,124	Office of Management and Budget	4-302-94430- 8230	\$73,124
W-F JCC Fund Balance	3-220-419000-0010	\$37,365	W-F JCC	4-220-31410- 8212	\$37,365
Federal funds	3-100-335000-0010	\$945	Social Services	4-100-53110- 5540	\$945
State funds	3-100-241000-0050	\$12,000	Social Services	4-100-53130- 5731	\$82,962
Federal funds	3-100-335000-0010	\$74,462		4-100-53120- 6045	\$3,500
School Division	4-205-61100-3830- 200-002-000	\$18,000	CSA	4-100-091400- 9612	\$18,000
TOTAL		\$553,308			\$553,308

A Resolution to Endorse Improvements to the Intersection of Routes 29 and 215 and the Widening of Route 215 to Four Lanes to Advance the Economic Redevelopment of Vint Hill

RESOLUTION

A RESOLUTION ENDORSING IMPROVEMENTS TO THE
INTERSECTION OF ROUTES 29 AND 215 AND THE
WIDENING OF ROUTE 215 TO FOUR LANES TO
ADVANCE THE ECONOMIC REDEVELOPMENT OF VINT HILL

WHEREAS, Vint Hill Farms Station, a 695-acre U.S. Army base located in Fauquier County, ceased operations as a military facility in September 1997; and

WHEREAS, the former U.S. Army base is being acquired for economic redevelopment purposes by the Vint Hill Economic Development Authority, a body politic of the Commonwealth of Virginia created in 1996; and

WHEREAS, Section 15.2-6300 of the Code of Virginia, under which the Vint Hill Economic Development Authority was created, states: "The proper development of such areas (former military installations being disposed of by the United States government) industrially and otherwise is required so that local governments may derive revenues with which to render necessary services to their citizens and so that industrial development; job creation; and housing, recreational, commercial, educational and other economic and social development may be fostered and stimulated to prevent the creation of blighted areas in the Commonwealth with resultant injury to all"; and

WHEREAS, Vint Hill is beginning to be redeveloped to create a site for 3,000-4,500 technology-oriented jobs and related community facilities and services; and

WHEREAS, the new jobs and real estate tax base created at Vint Hill will expand tax revenues to the Commonwealth of Virginia and to Fauquier County; and

WHEREAS, Route 215, a two-lane country road, and its intersection with U.S. Route 29 are currently a dangerous route and intersection over and through which much of the existing and future vehicular traffic to Vint Hill has to pass for access and egress; and

WHEREAS, businesses considering Vint Hill for the purpose of locating new facilities and employees are expressing great concern over the danger to their employees, vendors, and visitors who must use the U.S. Route 29/Route 215 intersection and Route 215 for access to and egress from Vint Hill; now, therefore, be it

RESOLVED by the Fauquier County Board of Supervisors this 18th day of May 1999, That the Board of Supervisors does hereby respectfully request that the Virginia Department of

Transportation begin immediate planning for and programming of short-term and long-term improvements to the intersection of U.S. Route 29 and Route 215 and planning for and programming the widening into a four-lane parkway of Route 215 from its intersection with U.S. Route 29 to the Prince William County line for the purposes of safety and support of economic redevelopment.

A Resolution to Make Trigon the Health Care Insurance Administrator for Fauquier County Employees for Fiscal Year 2000

RESOLUTION

A RESOLUTION TO MAKE TRIGON THE HEALTH CARE
INSURANCE ADMINISTRATOR FOR FAUQUIER COUNTY
EMPLOYEES FOR FISCAL YEAR 2000

WHEREAS, the Fauquier County Health Care Advisory Committee has examined the concerns regarding the health care provided to Fauquier County employees and met with Risk Management to review the current health care usage; and

WHEREAS, the Fauquier County Health Care Advisory Committee requested Request For Proposals and reviewed the proposals for FY 2000; and

WHEREAS, the Fauquier County Health Care Advisory Committee accepted the proposal from Trigon on April 27, 1999; now, therefore, be it

RESOLVED by the Fauquier County Board of Supervisors this 18th day of May 1999, That Trigon be, and is hereby, authorized to provide health care insurance coverage for all Fauquier County employees who are eligible to enroll in the program.

A Resolution to Authorize the County Administrator to Sign a Term Contract for Audit Services with Robinson Farmer Cox Associates

RESOLUTION

A RESOLUTION TO AUTHORIZE THE COUNTY ADMINISTRATOR TO SIGN A TERM CONTRACT FOR AUDIT SERVICES WITH ROBINSON FARMER COX ASSOCIATES.

WHEREAS, the Code of Virginia requires an annual audit of the County's financial statements by an independent public accounting firm; and

WHEREAS, a team made up of representatives from the Finance Department, School Board and Treasurer's Office, under the direction of the Director of Finance, evaluated the proposals of three respondents to the Request for Proposal (RFP) and selected Robinson Farmer Cox Associates as most qualified; and

WHEREAS, the Purchasing Officer has completed negotiations with Robinson Farmer Cox Associates and the County Attorney has reviewed the contract and has approved the language contained therein; now, therefore, be it

RESOLVED by the Fauquier County Board of Supervisors this 18th day of May 1999, That the Board of Supervisors does hereby authorize the County Administrator to sign a contract for audit services with Robinson Farmer Cox Associates.

A Resolution to Authorize the County Administrator to Sign a Contract for Library Automation Software with Innovative Interfaces, Inc. in the Amount of \$147,875

RESOLUTION

A RESOLUTION TO AUTHORIZE THE COUNTY ADMINISTRATOR TO SIGN A CONTRACT FOR LIBRARY AUTOMATION SOFTWARE FROM INNOVATIVE INTERFACES, INC. IN THE AMOUNT OF \$147,785

WHEREAS, the Fauquier County Library Computer Software CIP account has a balance of \$157,671; and

WHEREAS, a team made up of representatives from the Public Library staff, the Library Board of Trustees, and Information Resources, under the direction of the Library Director, evaluated the proposals of six respondents to the Request For Proposals and selected Innovative Interfaces, Inc. as most qualified; and

WHEREAS, the County Procurement Policy specifies that no contract for a Capital Improvement Project that exceeds \$100,000 shall be awarded without the concurrence of the Fauquier County Board of Supervisors or School Board as applicable; now, therefore, be it

RESOLVED by the Fauquier County Board of Supervisors this 18th day of May 1999, That the Board of Supervisors does hereby authorize the County Administrator to sign a contract for Library Automation Software with Innovative Interfaces, Inc. in the amount of \$147,875, pending completion of negotiations between the Purchasing Officer and Innovative Interfaces, Inc., and the review and approval of the County Attorney.

A Resolution to Authorize an Adjourned Meeting of the Fauquier County Board of Supervisors for June 17, 1999 at 7:00 p.m. in the Auditorium at Warrenton Middle School for a Public Information Meeting

RESOLUTION

A RESOLUTION TO AUTHORIZE AN ADJOURNED MEETING OF THE
FAUQUIER COUNTY BOARD OF SUPERVISORS FOR JUNE 17, 1999 AT
7:00 P.M. IN THE AUDITORIUM AT WARRENTON MIDDLE SCHOOL FOR A PUBLIC
INFORMATION MEETING

BE IT RESOLVED by the Fauquier County Board of Supervisors this 18th day of May 1999, That an adjourned meeting of the Fauquier County Board of Supervisors be, and is hereby, authorized for June 17, 1999 at 7:00 p.m. in the Auditorium at Warrenton Middle School for a public information meeting.

A Resolution to Authorize the Chairman of the Board of Supervisors to Enter Into a Mutual Aid Agreement with the Counties of Rappahannock and Warren

RESOLUTION

A RESOLUTION TO AUTHORIZE THE CHAIRMAN OF THE
BOARD OF SUPERVISORS TO ENTER INTO A MUTUAL AID AGREEMENT
WITH THE COUNTIES OF RAPPAHANNOCK AND WARREN

WHEREAS, Virginia Code §§15.2-1724 and 15.2-1730 authorize the governing body of a locality to enter into mutual aid agreements for the provision of police and sheriff's services in times of emergency; and

WHEREAS, the Board of Supervisors wishes to authorize its chairman to execute a mutual aid agreement with the Counties of Rappahannock and Warren that is in substantial conformance with the attached agreement, which is incorporated and made a part of this resolution; now, therefore, be it

RESOLVED by the Fauquier County Board of Supervisors this 18th day of May 1999, That the chairman of the Board of Supervisors be, and is hereby, authorized to execute a Mutual Aid Agreement between the Counties of Rappahannock and Warren provided that the Mutual Aid Agreement be in substantial conformance with the agreement; and, be it

RESOLVED FURTHER, that such Mutual Aid Agreement shall be executed only after having been reviewed and approved as to form and content by the County Attorney.

ADOPTION OF THE AGENDA

Mr. Green moved to adopt the Agenda. Mr. Winkelmann seconded, and the vote for the motion was unanimous as follows:

Ayes: Mr. Larry L. Weeks; Mr. Joe Winkelmann; Mr. Wilbur W. Burton; Mr. James R. Green, Jr.; Mr. David C. Mangum

Nays: None

Absent During Vote: None

Abstention: None

CITIZENS TIME

- Maxwell Harway, representing the Fauquier Historical Society, requested the Board of Supervisors consider designating September 16 and 17, 2000 to commemorate the anniversary of General Lafayette's visit to Fauquier County.

REZONING REQUEST – HUNTER'S HEAD, L.C.

A public hearing was held at the February 16, 1999, meeting to consider a request from Hunter's Head, L.C., Owners, to rezone 0.8018 acre of a 2.40 acre parcel from Village Residential (V) to Village Commercial (VC) to operate an eating establishment and a retail sales (food) business. The property is located on the north side of John Mosby Highway (Route 50) in the village of Upperville, PIN #6054-95-8361-000, Marshall District. Mr. Green moved to adopt the following resolution. Mr. Winkelmann seconded, and the vote for the motion was 3 to 2 as follows:

Ayes: Mr. Larry L. Weeks; Mr. Joe Winkelmann; Mr. James R. Green, Jr.

Nays: Mr. Wilbur W. Burton; Mr. David C. Mangum

Absent During Vote: None

Abstention: None

RESOLUTION

A RESOLUTION TO DENY REZONING REQUEST

#RZ98-M-12 – HUNTER’S HEAD, L.C.

WHEREAS, the applicant, Hunter’s Head, has filed an application to rezone a portion of property (not less than 20,000 sq. ft.) from Village (V) to Village Commercial (VC) for an eating establishment (deli) and locally grown organic retail food sales; and

WHEREAS, the applicant requested to amend the Fauquier County Zoning Ordinance in accordance with the provisions of Article 13-202; and

WHEREAS, the Fauquier County Planning Commission held a public hearing on November 19, 1998, regarding this rezoning request; and

WHEREAS, the Fauquier County Planning Commission voted to recommend denial of the proposed rezoning request at its meeting on January 28, 1999; now, therefore, be it

RESOLVED by the Fauquier County Board of Supervisors this 18th day of May 1999, That Rezoning Request #RZ98-M-12, Hunter’s Head, L.C. be, and is hereby, denied upon the following findings:

- (1) The application does not further the public necessity, convenience, general welfare or good zoning practice;

- (2) The application does not conform to the Comprehensive Plan;
- (3) The application does not alleviate the impacts of the rezoning through adequate proffers;
- (4) That the rezoning unreasonably impacts the surrounding area and the County; and
- (5) The applicant has other reasonable uses available under its current zoning.

A RESOLUTION REGARDING ZONING ORDINANCE AMENDMENTS FOR TEAM RECREATION SPORTS

Mr. Winkelmann moved to adopt a resolution to refer to the Planning Commission for consideration and public hearing amendments to the Zoning Ordinance regarding team recreation sports. Mr. Mangum seconded.

Mr. Weeks offered an amended motion to add a “Resolved Further” clause that the previous resolution sent to the Planning Commission regarding the non-common open space for recreational purposes be indefinitely postponed. Mr. Winkelmann seconded, and the vote for the amendment was unanimous as follows:

Ayes: Mr. Larry L. Weeks; Mr. Joe Winkelmann; Mr. Wilbur W. Burton; Mr. James R. Green, Jr.; Mr. David C. Mangum

Nays: None

Absent During Vote: None

Abstention: None

The vote for the original motion to adopt the following resolution was unanimous as follows:

Ayes: Mr. Larry L. Weeks; Mr. Joe Winkelmann; Mr. Wilbur W. Burton; Mr. James R. Green, Jr.; Mr. David C. Mangum

Nays: None

Absent During Vote: None

Abstention: None

RESOLUTION

A RESOLUTION REFERRING PROPOSED AMENDMENTS TO SECTIONS 3-309 (CATEGORY 9, OUTDOOR RECREATION), 3-311 (PUBLIC AND QUASI-PUBLIC USES), 3-318 (AGRICULTURE), 15-300 (DEFINITIONS), AND THE CREATION OF SECTION 5-807 (ADDITIONAL STANDARDS FOR TEAM RECREATION SPORTS) OF THE FAUQUIER COUNTY ZONING ORDINANCE

WHEREAS, the Board of Supervisors has been requested to consider proposed amendments to the Fauquier County Zoning Ordinance to permit team sports under specified conditions as by right uses; and

WHEREAS, the Board of Supervisors considers it in the public interest to consider the proposed amendments; now, therefore, be it

RESOLVED by the Fauquier County Board of Supervisors this 18th day of May 1999, That the proposed amendments to Section 3-309 (Outdoor Recreation), 3-311 (Public and Quasi-Public Uses), 3-318 (Agriculture), 15-300 (Definitions), and creation of a Section 5-807 (Additional Standards for Team Recreation Sports) of the Zoning Ordinance to add team recreation sports on County-owned property as a by right use, and through an administrative permit, subject to specified performance standards, in the RA and RC districts, is hereby referred to the Planning Commission for consideration; and, be it

RESOLVED FURTHER, That the referenced performance standards include, as a minimum,

road access/entrance permit, setback/buffer requirements, stream buffer setback, limitation to one or two fields, preclude the use of lights, concessions, bleachers or amplified music; and, be it

RESOLVED FINALLY, That the resolution previously forwarded by the Board of Supervisors to the Planning Commission regarding the non-common open space for recreational purposes be, and is hereby, indefinitely postponed.

SUPERVISORS TIME

- Mr. Winkelmann announced that a resolution regarding well monitoring at Frytown would be before the Board for consideration at the June 7, 1999 meeting.
- Mr. Winkelmann asked that the Board support a proclamation to designate September 16 and 17, 2000 as Lafayette Days in Fauquier County to commemorate the 175th anniversary of General Lafayette's visit.
- Mr. Winkelmann announced that the Public Safety Compensation Task Force would review recommendations for increases in EMS salaries.
- Mr. Mangum asked for Board support in amending the Board's top priorities by deferring the Opal study in order to proceed with the Catlett and Calverton areas. The Board agreed to consider a resolution at the June 7, 1999 meeting.
- Mr. Mangum announced that Planning District 9 had received two grants for van pools for low-income residents.
- Mr. Mangum said that he would have more information at the June 7, 1999 meeting regarding improvement of services at the Piedmont Technical School.

ANNOUNCEMENTS

- Mr. Lee announced that members of the Board of Supervisors and Senior Staff were serving on various VACo Committees.
- Mr. Lee handed out the first draft of the County's Legislative Program for review and consideration.
- Mr. Lee informed Board members that Ed Wilburn's wife had passed away. Mr. Wilburn is a Prince William County Board of Supervisors member representing the Gainesville District.

SPECIAL EXCEPTION – SALAHİ FAMILY PARTNERSHIP/OASIS VINEYARD, INC.

A public hearing was held to consider a request for special exception approval for the Salahı Family Partnership/Oasis Vineyard, Inc. to renew an existing special exception for six months with minor amendments. The property is located on the south side of Hume Road (Route 635) approximately one-half mile east of the Fauquier County/Rappahannock County boundary, near Hume, PIN #5998-87-1678-000, Marshall District. Henry Day, representing the Salahı Family, spoke in favor of the request. Sarah Hall, representing landowners in the area, spoke in opposition. The public hearing was closed. Mr. Green moved to table the decision until the June 7, 1999, meeting in order to visit the site. Mr. Winkelmann seconded, and the vote for the motion was unanimous as follows:

Ayes: Mr. Larry L. Weeks; Mr. Joe Winkelmann; Mr. Wilbur W. Burton; Mr. James R. Green, Jr.; Mr. David C. Mangum

Nays: None

Absent During Vote: None

Abstention: None

SPECIAL EXCEPTION – U.S. ARMY, REAL ESTATE DIVISION, OWNER, AND JAMES SNYDER, FAUQUIER COUNTY PUBLIC SCHOOLS, APPLICANT

A public hearing was held to consider a request for special exception approval for U.S. Army, Real Estate Division, Owner, and James Snyder, Fauquier County Public Schools, Applicant, to allow an alternative day school for ten students and six to eight staff members. The property is located at Vint Hill, PIN #7915-88-6141-000 and #7915-86-0060-000, Cedar Run District. Jim Snyder, representing the Fauquier County Public Schools, and Janet Bessmer, of the Fauquier Family Guidance Center, spoke in favor of the request. No one else spoke. The public hearing was closed. Mr. Burton moved to adopt the following resolution. Mr. Mangum seconded, and the vote for the motion was unanimous as follows:

Ayes: Mr. Larry L. Weeks; Mr. Joe Winkelmann; Mr. Wilbur W. Burton; Mr. James R. Green, Jr.; Mr. David C. Mangum

Nays: None

Absent During Vote: None

Abstention: None

RESOLUTION

A RESOLUTION TO APPROVE SPECIAL EXCEPTION REQUEST

**#SE99-CR-04, U.S. ARMY, OWNER, FAUQUIER COUNTY PUBIC SCHOOLS, APPLICANT,
ALTERNATIVE DAY SCHOOL**

WHEREAS, the U.S. Army, Owner, and Fauquier County Public Schools, Applicant, are requesting special exception approval to locate and operate an alternative day school on the existing Vint Hill facility building S-142; and

WHEREAS, the Special Exception Application of U.S. Army, Owner, and Fauquier County Public Schools, Applicant, has been properly filed and all required notices of the public hearing have been properly made, and the applicant has presented evidence both oral and documentary, and

the staff has filed a staff report, all indicating compliance with the general standards for a special exception as set forth in Article 5 of the Zoning Ordinance and the more restrictive standards set forth in 5-504 of the said Zoning Ordinance are met in this application; now, therefore, be it

RESOLVED by the Fauquier County Board of Supervisors this 18th day of May 1999, That Special exception #SE99-CR-04, U.S. Army, Owner, Fauquier County Public Schools, Applicant, Alternative Day School, be, and is hereby, approved subject to the following conditions:

CONDITIONS:

1. The hours of operation will be 7:00 am to 5:00 p.m. Monday through Friday with limited weekend use.
2. The number of students will be limited to a maximum of ten (10).

**SPECIAL EXCEPTION – DONALD D. AND VALERIE G. HUFFMAN, OWNERS, AND
TRANSCONTINENTAL GAS PIPE LINE CORPORATION, APPLICANTS**

A public hearing was held to consider a request for special exception approval for Donald D. and Valerie G. Huffman, Owners, and Transcontinental Gas Pipe Line Corporation, Applicants, to allow for the construction of a metering station with appurtenances. The property is located on Morgansburg Road (Route 653) adjacent to Mt. Herman Church, PIN #6897-89-2743-000, Lee District. Hank Byers, representing Transcontinental Gas Pipe Line Corporation, spoke in favor of the request. No one else spoke. The public hearing was closed. Mr. Mangum moved to adopt the following resolution. Mr. Winkelmann seconded, and the vote for the motion was unanimous as follows:

Ayes: Mr. Larry L. Weeks; Mr. Joe Winkelmann; Mr. Wilbur W. Burton; Mr. James R. Green, Jr.; Mr. David C. Mangum

Nays: None

Absent During Vote: None

Abstention: None

RESOLUTION

A RESOLUTION TO APPROVE SPECIAL EXCEPTION

REQUEST #SE99-L-09

**TRANSCONTINENTAL GAS PIPELINE
CORPORATION**

WHEREAS, the applicant, Transcontinental Gas Pipeline Corporation, has filed an application for a special exception to allow for the construction of a metering station and appurtenances, pursuant to Section 3-320.3, Public Utilities, of the Fauquier County Zoning Ordinance; and

WHEREAS, the special exception application of Transcontinental Gas Pipeline Corporation has been properly filed and all required notices of the public hearing have been properly made, and the applicant has presented evidence both oral and documentary, and the staff has a filed staff report, all indicating compliance with the general standards for special exceptions as set forth in Article 5 of the Zoning Ordinance and the Board further finds that the more restrictive standards of Article 5-2001 and 5-2002 of said Zoning Ordinance are met in this application; and

WHEREAS, the Fauquier County Planning Commission held a public hearing on April 29, 1999, on this special exception amendment request and recommended approval; now, therefore, be it

RESOLVED by the Fauquier County Board of Supervisors this 18th day of May 1999, That Special Exception #SE99-L-09, Transcontinental Gas Pipeline Corporation, applicant, and Donald and Valerie Huffman, owners, (PIN #6897-89-2743-000) be, and is hereby, approved subject to the following conditions:

1. Any and all machinery, equipment or facilities not located within the proposed buildings on the M&R Station will be effectively screened at all times. A landscape/screening plan shall be prepared and submitted to the County for review and approval at the time of site plan submission, and
2. The applicant will secure any Federal or State permits that are required.

ZONING ORDINANCE TEXT AMENDMENT – AMEND MINIMUM LOT SIZE IN THE RURAL AGRICULTURE ZONING DISTRICT

A public hearing was held to consider a Zoning Ordinance Text Amendment to Article 3, District Regulations, Part 4, Use Regulations, Section 3-402.1, Minimum Lot Size, and Section 3-400, Use Regulations, Footnote 9 to reduce the conventional minimum lot size from five acres to two acres in the Rural Agriculture (RA) Zoning District and from ten acres to two acres in the Rural Conservation (RC) Zoning District. Bob Creeker and Elmer Cross spoke in opposition. No one else spoke. The public hearing was closed. Mr. Weeks moved to adopt the following ordinance. Mr. Green seconded, and the vote for the motion was unanimous as follows:

Ayes: Mr. Larry L. Weeks; Mr. Joe Winkelmann; Mr. Wilbur W. Burton; Mr. James R. Green, Jr.; Mr. David C. Mangum

Nays: None

Absent During Vote: None

Abstention: None

ORDINANCE

ZONING ORDINANCE TEXT AMENDMENT TO AMEND ARTICLE 3 DISTRICT REGULATIONS, PART 4 USE REGULATIONS, SECTION 3-402 1. MINIMUM LOT SIZE AND SECTION 3-400 USE REGULATIONS, FOOTNOTE 9 TO REDUCE THE CONVENTIONAL MINIMUM LOT SIZE FROM FIVE (5) ACRES TO TWO (2) ACRES IN THE RA (RURAL AGRICULTURE) ZONING DISTRICT AND FROM TEN (10) ACRES TO TWO (2) ACRES IN THE RC (RURAL CONSERVATION) ZONING

DISTRICT

WHEREAS, the Fauquier County Zoning Ordinance, Article 3 District Regulations, Part 4 Use Regulations, Section 3-402 1. currently allows five (5) acres in the RA (Rural Agriculture) Zoning District and ten (10) acres in the RC (Rural Conservation) Zoning District; and

WHEREAS, the Fauquier County Zoning Ordinance, Article 3 District Regulations, Part 4 Use Regulations, Section 3-400 Use Regulations, Footnote 9 currently allows five (5) acres for a residue parcel; and

WHEREAS, the Fauquier County Board of Supervisors has held a public hearing regarding this matter; now, therefore, be it

ORDAINED by the Fauquier County Board of Supervisors this 18th day of May 1999, That Article 3 of the Fauquier County Zoning Ordinance be, and is hereby, amended as follows:

ARTICLE 3 DISTRICT REGULATIONS, PART 4 USE REGULATIONS, SECTION 3-402
1. MINIMUM LOT SIZE

RC RA

3-402.1 Minimum Lot Size

(acres or thousand sq. ft.)

2a. 2a.

1. Conventional

~~10a.~~ ~~5a.~~

ARTICLE 3 DISTRICT REGULATIONS, PART 4 USE REGULATIONS, SECTION 3-400
USE REGULATIONS, FOOTNOTE 9

9. For residential developments - administrative lots and family transfers as defined in the Subdivision Ordinance - lot size and bulk requirements shall be shown for conventional developments in the R-1 District. For family transfers - the minimum lot size of the residue parcel shall be two (2) acres.

ZONING ORDINANCE TEXT AMENDMENT – ARTICLE III, SECTION 3-320.3 AND SECTION 3-320.8 – DELETE TELECOMMUNICATION FACILITIES, RADIO, TELEVISION, MICROWAVE, ANTENNA AND TRANSMITTING EQUIPMENT

A public hearing was held to consider a Zoning Ordinance Text Amendment to Article 3, District Regulations, Part 3, Uses, Section 3-320 3., Public Utilities (Category 20) to delete telecommunications facilities, radio, television, microwave, antenna and transmitting equipment and to create a new Section 3-320.8. No one spoke. The public hearing was closed. Mr. Winkelmann moved to adopt the following ordinance. Mr. Green seconded, and the vote for the motion was unanimous as follows:

Ayes: Mr. Larry L. Weeks; Mr. Joe Winkelmann; Mr. Wilbur W. Burton; Mr. James R. Green,

Jr.; Mr. David C. Mangum

Nays: None

Absent During Vote: None

Abstention: None

ORDINANCE

ZONING ORDINANCE TEXT AMENDMENT TO AMEND ARTICLE 3 DISTRICT REGULATIONS, PART 3 USES, SECTION 3-320 3. PUBLIC UTILITIES (CATEGORY 20) TO DELETE TELECOMMUNICATION FACILITIES, RADIO, TELEVISION, MICROWAVE, ANTENNA AND TRANSMITTING EQUIPMENT

WHEREAS, the Fauquier County Zoning Ordinance, Article 3 District Regulations, Part 3 Uses, Section 3-320 3. Public Utilities (Category 20) currently allows telecommunication facilities, radio, television, microwave, antenna and transmitting equipment; and

WHEREAS, the Fauquier County Board of Supervisors has held a public hearing regarding this matter; now, therefore, be it

ORDAINED by the Fauquier County Board of Supervisors this 18th day of May 1999, That the Article 3 of the Fauquier County Zoning Ordinance be, and is hereby, amended as follows:

ARTICLE 3 DISTRICT REGULATIONS, PART 3 USES, SECTION 3-320 PUBLIC UTILITIES (CATEGORY 20)

RC RA RR-2 V R-1 R-2 R-4 C-1 C-2 C-3 CV I-1 I-2

3. ~~Telecommunication facilities,~~

~~radio, television, microwave,~~

~~antenna and transmitting equipment~~

~~and a~~ Above ground water and

sewer pumping

P P

storage facilities

SE SE SE SE SE SE SE

SE SE SE SE

8. Telecommunication Facilities,

Radio, Television, Microwave,

Antenna and Transmitting

SP* SP*

SP*SP*SP*SP*SP*

Equipment

SE* SE*

SE SE SE SE SE

*Refer to Article 11, Standards for Telecommunications Towers and Antennas regarding the criteria which must be met for Special Exception (SE) and Special Permit (SP).

SPECIAL EXCEPTION – EDWARD C. AND ANN M. HIGBEE

A public hearing was held to consider a request for special exception approval for Edward C. and Ann M. Higbee to run a catch and pay trout pond business. The property is located on the east side of Hunter Road in the Sowego Forest Subdivision, Lot 14, PIN #7849-99-3511-000, Cedar Run District. Edward and John Higbee spoke in favor of the request. No one else spoke. The public hearing was closed. Mr. Burton moved to adopt the following resolution. Mr. Winkelmann seconded, and the vote for the motion was unanimous as follows:

Ayes: Mr. Larry L. Weeks; Mr. Joe Winkelmann; Mr. Wilbur W. Burton; Mr. James R. Green, Jr.; Mr. David C. Mangum

Nays: None

Absent During Vote: None

Abstention: None

RESOLUTION**A RESOLUTION TO APPROVE SPECIAL EXCEPTION REQUEST****#SE99-CR-05 HIGBEE TROUT POND**

WHEREAS, Edward and Ann Higbee, Owners and Applicants, are requesting special exception approval to locate and operate a trout catch and pay pond on their property; and

WHEREAS, the Special Exception Application of Higbee Trout Pond has been properly filed and all required notices of the public hearing have been properly made, and the applicant has presented evidence both oral and documentary, and the staff has filed a staff report, all indicating compliance with the general standards for a special exception as set forth in Article 5 of the Zoning Ordinance and the more restrictive standards of 5-913 of the said Zoning Ordinance are met in this application; now, therefore, be it

RESOLVED by the Fauquier County Board of Supervisors this 18th day of May 1999, That

Special Exception #SE99-CR-05, Higbee Trout Pond, be and is hereby approved subject to the following conditions:

CONDITIONS:

1. The operation will be limited to the one (1) pond and the parking area.
2. The operation shall be limited to eight (8) patrons on-site at any one time.
3. The hours of operation will be limited from dawn to dusk daily.
4. The operation will be limited to the months October through May.
5. The operation will follow all Virginia Department of Game and Inland Fisheries, state and Federal regulations.

CONSIDER GRANTING AN EASEMENT TO THE FAUQUIER FAMILY SHELTER SERVICES, INC. ACROSS COUNTY PROPERTY ON KEITH STREET

A public hearing was held to consider granting an easement across County property on Keith Street to the Fauquier Family Shelter Services, Inc. to connect to the Town of Warrenton's stormwater disposal system. No one spoke. The public hearing was closed. Mr. Winkelmann moved to adopt the following resolution. Mr. Burton seconded, and the vote for the motion was unanimous as follows:

Ayes: Mr. Larry L. Weeks; Mr. Joe Winkelmann; Mr. Wilbur W. Burton; Mr. James R. Green, Jr.; Mr. David C. Mangum

Nays: None

Absent During Vote: None

Abstention: None

RESOLUTION

A RESOLUTION TO GRANT TO FAUQUIER FAMILY SHELTER SERVICES, INC., A
DRAINAGE EASEMENT ACROSS PORTIONS OF THE PROPERTY OF THE

BOARD OF SUPERVISORS OF FAUQUIER COUNTY LOCATED ON KEITH STREET

WHEREAS, the Fauquier County Board of Supervisors authorized the transfer of one-half acre of real property located on Keith Street to the Fauquier Family Shelter Services, Inc.; and

WHEREAS, the Fauquier Family Shelter Services, Inc., (FFSSI) formally requests a fifteen foot drainage easement across portions of the property of the Board of Supervisors located on Keith Street to support the stormwater management plan for the site; and

WHEREAS, a public hearing was held this 18th day of May, 1999, to consider public comments regarding the intent of the Board of Supervisors to grant an easement to permit drainage of stormwater from the FFSSI property, and

WHEREAS, the Board of Supervisors has determined that it is in the public's interest to grant an easement to FFSSI for the purpose of draining stormwater; now, therefore, be it

RESOLVED by the Fauquier County Board of Supervisors this 18th day of May 1999, That the County Administrator is authorized to execute a 15' drainage easement, as depicted on the plat prepared by Carson, Harris & Associates, LLC, Project # 98193, February 25, 1999, to Fauquier Family Shelter Services, Inc.

With no further business, the meeting was adjourned.